

## CATEGORICAL EXCLUSION DOCUMENTATION FOR DNRC FOREST MANAGEMENT ACTIVITY

Project Name: Swan Dogsled Tours

Proposed Implementation Date: 03/03/3014

Proponent: Bigfork Guides, LLC

Type and Purpose of Action: To issue a special recreational use permit to allow commercial use of approximately 56 miles of existing roads and trails during the winter for guided dogsled tours. Please see the Wildlife; Soils, Water Quality/Quantity, and Fisheries Attachments for additional information.

Location: Various roads on the Swan River State Forest (see Dog Sled Tour Route map).

County: Lake

**Category (refer to ARM 36.11.447 (3)(a) through (w) for additional detail):**

- a) ☐ Temporary Uses of Land with Negligible Effects
- b) ☐ Plans and Policies
- c) ☒ Leases and Licenses
- d) ☐ Acquisition of Land or Interest in Land
- e) ☐ Road Maintenance and Repair
- f) ☐ Bridges and Culverts
- g) ☐ Crossing Class 3 Streams
- h) ☐ Temporary Road Use Permits
- i) ☐ Road Closure
- j) ☐ Material Stockpiles
- k) ☐ Backfilling
- l) ☐ Gathering Forest Products for Personal Use
- m) ☐ Regeneration
- n) ☐ Nursery Operations
- o) ☐ Water Wells
- p) ☐ Herbicides and Pesticides
- q) ☐ Other Hazardous Materials
- r) ☐ Fences
- s) ☐ Waterlines
- t) ☐ Removal of Small Trees

- u) ☐ Removal of Hazardous Trees
- v) ☐ Cone Collection
- w) ☐ Timber Harvest (<100 MBF green or 500 MBF salvage)

By process of the adoption of the Forest Management Rules on February 27, 2003, pursuant to ARM 36.2.523(5)(a), the Department of Natural Resources and Conservation, Trust Land Management Division, has adopted the above categorical exclusions for activities conducted on state forested trust lands. "Categorical Exclusion" refers to a type of action that does not individually, collectively, or cumulatively require an EA or EIS unless extraordinary circumstances occur (ARM 36.2.522(5)).

### Extraordinary Circumstances:


Will the proposed action affect one or more of the following resources, species or situations in the project area? If the resource, species, or situation is present, but project design avoids potential adverse effects on the resource, the answer is "No". One "Yes" answer indicates that Categorical Exclusion is not appropriate for the project, and an EA or EIS must be conducted.

YES      NO

- |                          |                                     |  |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | a) Sites with high erosion risk.   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | b) Federally listed threatened and endangered species or critical habitat for threatened and endangered species as designated by the USFWS.  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | c) Municipal watersheds.   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | d) The SMZ of fish bearing streams or lakes, except for modification or replacement of bridges, culverts and other crossing structures.  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | e) State natural area.   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | f) Native American religious and cultural sites.   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | g) Archaeological sites.   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | h) Historic properties and areas.  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | i) Several related projects that individually may be subject to categorical exclusion but that may occur at the same time or in the same geographic area. Such related actions may be subject to environmental review even if they are not individually subject to review. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | j) Violations of any applicable state or federal laws or regulations.  |

The project listed above meets the definition of the indicated categorical exclusion, including specified conditions and extraordinary circumstances, as provided in the Forest Management Rules (ARM 36.11.447).

Prepared by: K. Baker -Dickinson \_\_\_\_\_ 02/28/2014  
(Name) (Date)

Decision by: Dan Roberson \_\_\_\_\_ Swan Unit Manager  
(Name) (Title)  
 3/3/14  
(Signature) (Date)



# Dog Sled Tour Routes

## Swan River State Forest

### Vicinity Map

#### T23N & 24N, R17W & 18W



Prepared by  
Montana Department of  
Natural Resources & Conservation  
January 2014

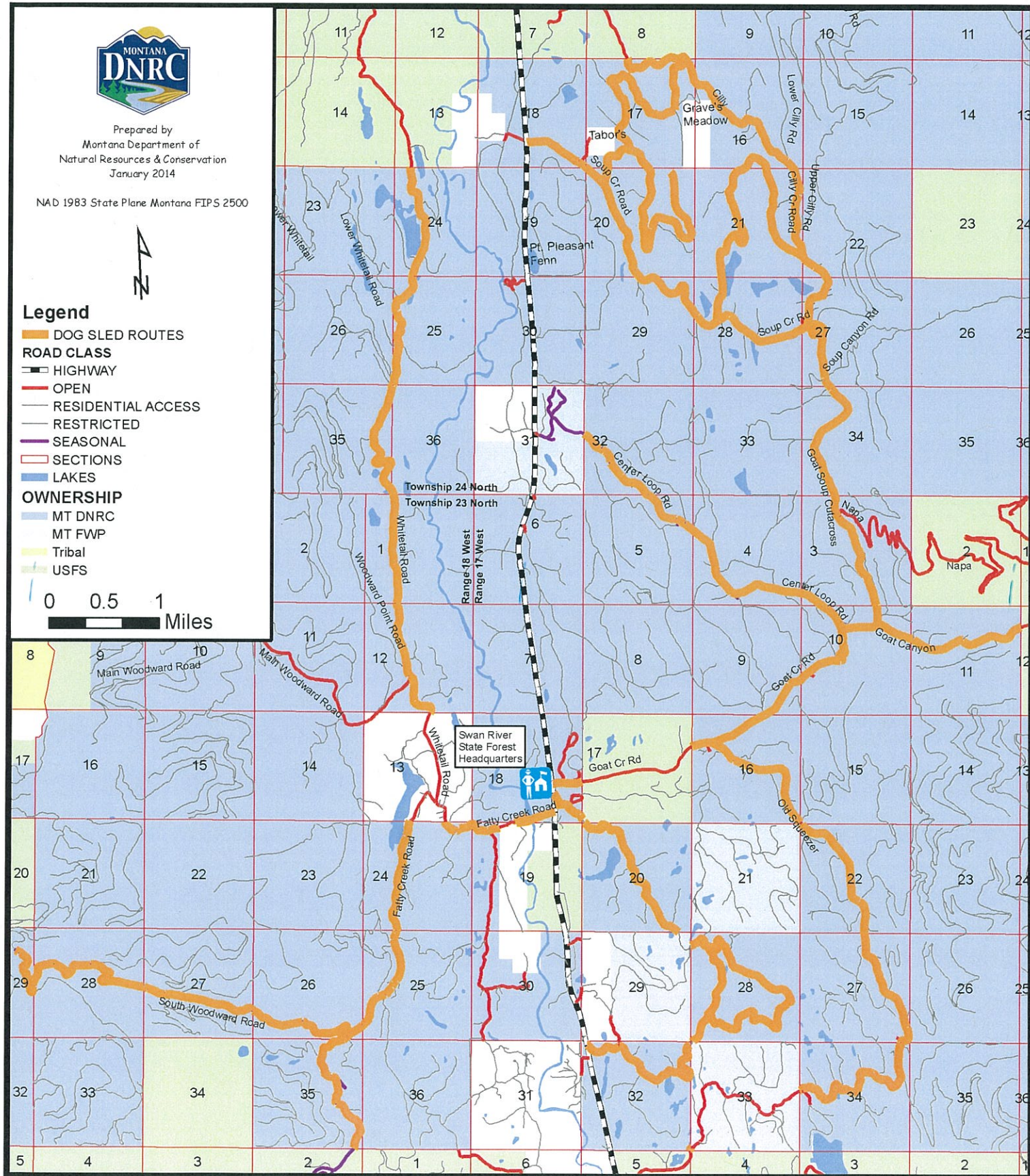
NAD 1983 State Plane Montana FIPS 2500



#### Legend

- DOG SLED ROUTES
- ROAD CLASS**
- HIGHWAY
- OPEN
- RESIDENTIAL ACCESS
- RESTRICTED
- SEASONAL
- SECTIONS
- LAKES
- OWNERSHIP**
- MT DNRC
- MT FWP
- Tribal
- USFS

0 0.5 1  
Miles





# Memorandum

**To:** Kristen Baker  
**Cc:** Marc Vessar  
**From:** Leah Breidinger, Wildlife Biologist  
**Date:** 2/5/2014  
**Re:** WILDLIFE Swan Dog Sled Tour SRUL

I reviewed the Swan Dog Sled Tour SRUL for Base Camp Bigfork, LLC to operate in the Swan River State Forest. The proposed SRUL would permit Base Camp Bigfork to operate guided dog sledding tours on approximately 56 miles of designated routes consisting of existing roads and trails in portions of the Swan River State Forest (see Dog Sled Tour Routes map). Tour groups would consist of approximately 2-4 individuals with occasional trips consisting of 8-12 individuals. Tours would be limited to 14 tours per week and would not be likely to exceed 3 trips per week. In general, the Swan River State Forest would not be the primary location for dog sled tours, but would be used as a backup location when snowpack is not sufficient at other locations and would receive sporadic use. The SRUL is a nonexclusive license and use would occur in addition to existing levels of winter recreation on the forest. The SRUL would comply with seasonal restrictions associated with grizzly bears on restricted roads according to the Swan Valley Grizzly Bear Conservation Agreement (SVGBCA). The attached table summarizes the anticipated effects of the proposed activities on each Threatened or Endangered species, sensitive species, or big game species.

SPECIES/HABITAT	DETERMINATION – BASIS
THREATENED AND ENDANGERED SPECIES	
Canada lynx ( <i>Felis lynx</i> ) Habitat: Subalpine fir habitat types, dense sapling, old forest, deep snow zones	Suitable Canada lynx habitat occurs within the project area and lynx use of the area is possible. Canada lynx have been observed within the vicinity of the license area in the past (MNHP 2014). The project area currently receives use by snowmobilers and other winter recreationists. The additional dog sledding activity would not alter suitable lynx habitat and would not be expected to measurably affect lynx use of the area. Thus, negligible adverse direct, indirect, or cumulative effects to Canada lynx would be anticipated.
Grizzly bear ( <i>Ursus arctos</i> ) Habitat: Recovery areas, security from human activity	The proposed 56 miles of dog sled routes are located in the South Fork Lost Soup Creek, Porcupine-Woodward, Goat Creek, and Lion Creek Grizzly Bear Subunits. These areas are currently receiving use by winter recreationists. Dog sledding would occur on 26 miles of seasonally restricted roads or roads managed as restricted throughout the year. However, use of these roads would be restricted to the denning period (November 16 <sup>th</sup> – March 31st) to minimize risk to grizzly bears during the spring, summer and fall seasons when bears are most active. Thus, since, negligible disturbance and displacement would occur, no changes in hiding cover would occur, and no change in open road densities would occur, negligible direct, indirect, or cumulative effect to grizzly bears would be anticipated.

SENSITIVE SPECIES	
<p>Bald eagles (<i>Haliaeetus leucocephalus</i>) Habitat: Late-successional forest less than 1 mile from open water</p>	<p>No bald eagle nests occur in the vicinity of the project area and suitable lake habitat is not available. Thus, no direct, indirect, or cumulative effects to bald eagles would be anticipated.</p>
<p>Black-backed woodpeckers (<i>Picoides arcticus</i>) Habitat: Mature to old burned or beetle-infested forest</p>	<p>No recently (&lt;5 years) burned areas occur within the project area. Thus, no direct, indirect, or cumulative effects to black-backed woodpeckers would be anticipated.</p>
<p>Coeur d'Alene salamanders (<i>Plethodon idahoensis</i>) Habitat: Waterfall spray zones, talus near cascading streams</p>	<p>No moist talus or streamside talus habitat occurs within the project area. Thus, no direct, indirect, or cumulative effects to Coeur d'Alene salamanders would be anticipated.</p>
<p>Columbian sharp-tailed grouse (<i>Tympanuchus Phasianellus columbianus</i>) Habitat: Grassland, shrubland, riparian, agriculture</p>	<p>No suitable grassland communities occur within the project area. Thus, no direct, indirect, or cumulative effects to Columbian sharp-tailed grouse would be anticipated.</p>
<p>Common loons (<i>Gavia immer</i>) Habitat: Cold mountain lakes, nest in emergent vegetation</p>	<p>No suitable lake habitats occur within the project area. Thus, no direct, indirect or cumulative effects to common loons would be anticipated.</p>
<p>Fishers (<i>Martes pennanti</i>) Habitat: Dense mature to old forest less than 6,000 feet in elevation and riparian</p>	<p>Fisher habitat occurs in the project area. However, the proposed dog sledding activities would not affect habitat availability and would occur in areas already receiving dispersed winter recreation use; thus trapping risk is not likely to be affected. The additional recreation is not anticipated to affect fisher use of the area. Thus, negligible direct, indirect or cumulative effects to fishers would be anticipated.</p>
<p>Flammulated owls (<i>Otus flammeolus</i>) Habitat: Late-successional ponderosa pine and Douglas-fir forest</p>	<p>Suitable flammulated owl habitats occur within the project area. However, flammulated owls are migratory, and the proposed activities are not likely to disturb flammulated owls as they would be absent during the winter when the proposed tours would be conducted. Thus, negligible direct, indirect or cumulative effects to flammulated owls would be anticipated.</p>
<p>Gray wolves (<i>Canis lupus</i>) Habitat: Ample big game populations, security from human activities</p>	<p>The proposed dog sled routes are located within the 2013 home range of the Cilly Pack (K. Laudon, DFWP, pers. comm. July 2013) and wolf use of the project area is likely. The proposed activities would increase human use of the area, although dispersed winter recreation already occurs throughout the Swan River State Forest. The risk of wolf-dog conflicts would increase slightly; however, dogs would not be kept overnight in the area and would be restrained or under human-control while in the project area, minimizing the risk for adverse interactions (McNay 2002). Thus, negligible direct, indirect or cumulative effects to gray wolves would be anticipated.</p>
<p>Harlequin ducks (<i>Histrionicus histrionicus</i>) Habitat: White-water streams, boulder and cobble substrates</p>	<p>No suitable high-gradient stream or river habitats occur within the project area. No direct, indirect or cumulative effects to harlequin ducks would be anticipated.</p>



<p>Northern bog lemmings (<i>Synaptomys borealis</i>)  Habitat: Sphagnum meadows, bogs, fens with thick moss mats</p>	<p>Suitable sphagnum bogs or fens may occur within the project area. However, dog sledding activity is not likely to affect bog lemming habitat. Thus, no direct, indirect, or cumulative effects to northern bog lemmings would be anticipated.</p>
<p>Peregrine falcons (<i>Falco peregrinus</i>)  Habitat: Cliff features near open foraging areas and/or wetlands</p>	<p>Suitable cliffs/rock outcrops may occur within the project area; however, the proposed activities would occur outside of the breeding season. Thus, negligible direct, indirect, or cumulative effects to peregrine falcons would be anticipated.</p>
<p>Pileated woodpeckers (<i>Dryocopus pileatus</i>)  Habitat: Late-successional ponderosa pine and larch-fir forest</p>	<p>Suitable pileated woodpecker habitat occurs in the project area. However, the proposed activities would not affect the availability or structure of pileated woodpecker habitat. Thus negligible adverse direct, indirect, or cumulative effects to pileated woodpeckers would be anticipated.</p>
<p>Townsend's big-eared bats (<i>Plecotus townsendii</i>)  Habitat: Caves, caverns, old mines</p>	<p>No suitable caves or mine tunnels are known to occur within the project area. Thus, no direct, indirect or cumulative effects to Townsend's big-eared bats are anticipated.</p>
<p>Wolverine (<i>Gulo gulo</i>)  Habitat: Alpine tundra and high-elevation boreal and coniferous forests that maintain deep persistent snow into late spring</p>	<p>Wolverines have been documented in the project area and wolverine use of the project area may occur at any time (USFS, unpublished data 2013). The proposed sled dog routes occur primarily in low-elevation portions of the Swan River State Forest, with the exception of some areas in the vicinity of the South Woodward Road and the Soup Creek drainage. Research suggests that wolverines tolerate winter recreation in their home ranges, but may respond to recreation by increasing movement rates or changing activity patterns (Heinemeyer and Squires 2013). Considering that winter recreation already occurs in the area, the large home range area (average 200-300 mi<sup>2</sup> for females) wolverines occupy, and long distances wolverines typically cover during their movements, and that winter recreation does not appear to cause displacement from home ranges, the proposed dog sled routes would not be expected to measurably affect use of the area by wolverines. Thus, negligible direct, indirect or cumulative effects to wolverines would be expected to occur under the proposed action.</p>

BIG GAME SPECIES	
Elk ( <i>Cervus canadensis</i> )	The proposed activities would occur in big game winter range habitat as identified by DFWP (2008). The proposed activities would not affect thermal cover, but would increase disturbance to wintering game. Winter recreation can adversely affect wintering ungulates by displacing the animals to lower-quality habitat or by increasing energy costs due to animals fleeing from recreationists ( <i>Canfield et al. 1999</i> ). However, the project area currently receives significant use by winter recreationists and the licensee would be required to maintain control of sled dogs at all times to reduce adverse affects to energy budgets of wintering animals. The Swan River State Forest would be used by Base Camp Big Fork as a back-up to their primary tour locations and use is anticipated to be 3 tours per week at the most. Dog sled tours would not be allowed to exceed 14 tours per week. Considering the existing level of recreation and that dogs would be controlled at all times, negligible adverse direct, indirect or cumulative effects to big game are anticipated.
Mule Deer ( <i>Odocoileus hemionus</i> )	
White-tailed Deer ( <i>Odocoileus virginianus</i> )	

### List of Mitigations

- Reduce disturbance to grizzly bears by restricting dog sledding activities on closed roads to the denning period (November 16th – March 31st).
- Maintain control over sled dogs at all times to reduce the risk of adverse encounters with wolves and disturbance to wintering big game and other wildlife.
- Require pet food, garbage, and other attractants to be stored in a bear-resistant manner.
- Tours would be restricted to designated routes displayed on the Dog Sled Tour Routes map.
- Gates on restricted roads would be required to remain closed during operations.
- Overnight camping would be prohibited.
- Number of trips per week would not exceed 14 for the duration of the license.

### Literature Cited

- Canfield, J. E., L. J. Lyon, J. M. Hillis, and M. J. Thompson. 1999. Ungulates. Pages 6.1-6.25 in G. Joslin and H. Youmans, coordinators. Effects of recreation on Rocky Mountain wildlife: A Review for Montana. Committee on Effects of Recreation on Wildlife, Montana Chapter of The Wildlife Society. 307pp.
- DFWP 2008. Maps of moose, elk, mule deer, and white-tailed deer distribution in Montana. Individual GIS data layers. August 12, 2008. Montana Fish, Wildlife and Parks. Helena, MT.  
<http://fwp.mt.gov/gisData/imageFiles/distributionElk.jpg>.  
<http://fwp.mt.gov/gisData/imageFiles/distributionMoose.jpg>.  
<http://fwp.mt.gov/gisData/imageFiles/distributionMuleDeer.jpg>.  
<http://fwp.mt.gov/gisData/imageFiles/distributionWhiteTailedDeer.jpg>
- Heinemeyer, K. and J.R. Squires. 2013. Wolverine-winter recreation research project: investigating the interactions between wolverines and winter recreation. 2013 progress report. 27pp.
- McNay, M.E. 2002. Wolf-human interactions in Alaska and Canada: a review of the case history. Wildlife Society Bulletin:831-843.



## *SOILS, WATER QUALITY/QUANTITY, AND FISHERIES*

**From a soils viewpoint:** No impacts to soil resources would be expected because all operations would be over the snow.

**From a water quality/quantity viewpoint:** Proposed activities would not change water quantity on the Swan River State Forest. Water quality impacts would not be expected to result from the proposed activities.

**From a fisheries standpoint:** No impacts to fisheries or fish habitat would be expected from the proposed activity.

From my disciplines' viewpoint, I believe this project may qualify for Categorical Exclusion from MEPA based on either 36.11.447 (3)(a) or 36.11.447 (3)(c). Regardless, no extraordinary circumstances listed in 36.11.447 (2) (a, c, d, i) would prohibit a categorical exclusion.